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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,541	05/10/2001	Jonathan S. Stinson	PC10247C	7185

23639 7590 06/18/2003
BINGHAM, MCCUTCHEN LLP
THREE EMBARCADERO, SUITE 1800
SAN FRANCISCO, CA 94111-4067

EXAMINER

MILLER, CHERYL L

ART UNIT	PAPER NUMBER
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3738

9

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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09/852,541

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Jonathan S. Stinson

PC10247C

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Cheryl Miller

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Commissioner for Patents

Response to Amendment

The reply filed on March 27, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): A restriction and election requirement was mailed February 21, 2003. Applicant elected Group I., claims 33-46, drawn towards an occlusive device delivery system, however a species election was also made, and applicant did not elect a species (see paper no.9, and for further clarity, the election requirement portion of the action is repeated below). See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Election/Restrictions

Claims 33, 45, and 56 are generic to a plurality of disclosed patentably distinct species comprising distal tip species shown in figures 8, 9, 10, 11, 12, 13, 18, 20, and 21, which are also described in the table on pages 15 and 16. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, even though this requirement is traversed.

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Art Unit: 3738

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl L. Miller whose telephone number is (703) 305-2812.

The examiner can normally be reached on Monday-Friday, 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Corrine McDermott can be reached on (703) 308-2111. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3590.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0858.



Cheryl Miller

June 16, 2003



CORRINE McDERMOTT
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700